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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA  
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11 ERNEST J. BROOKS, ) Case No. 08cv125-JM (BLM)  
12 )  
13 Petitioner, ) **ORDER GRANTING PETITIONER'S**  
14 v. ) **REQUEST TO CONTINUE**  
15 KEN CLARK, Warden, ) **[DOC. NO. 11]**  
16 )  
17 Respondent. )  
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16 On July 15, 2008, Petitioner in the above matter requested an  
17 extension of time to file his traverse to Respondent's answer. Doc. No.  
18 11. In support, Petitioner states that, due to issues arising from his  
19 status as an inmate, he is unable to access his legal documents. Id.  
20 Petitioner's motion is hereby **GRANTED** as follows.

21 1. Petitioner may file a traverse to matters raised in the answer  
22 no later than August 12, 2008. Any traverse by Petitioner shall (a)  
23 state whether Petitioner admits or denies each allegation of fact  
24 contained in the answer; (b) be limited to facts or arguments responsive  
25 to matters raised in the answer; and (c) shall not raise new grounds for  
26 relief that were not asserted in the petition. Grounds for relief  
27 withheld until the traverse will not be considered. No traverse shall  
28 exceed ten (10) pages in length absent advance leave of Court for good

1 cause shown.

2 2. A request by a party for an extension of time within which to  
3 file any of the pleadings required by this Order should be made in  
4 advance of the due date of the pleading, and the Court will grant such  
5 a request only upon a showing of good cause. Any such request shall be  
6 accompanied by a declaration under penalty of perjury explaining why an  
7 extension of time is necessary.

8 3. Unless otherwise ordered by the Court, this case shall be  
9 deemed submitted on the day following the date Petitioner's traverse is  
10 due.

11 4. Every document delivered to the Court must include a  
12 certificate of service attesting that a copy of such document was served  
13 on opposing counsel (or on the opposing party, if such party is not  
14 represented by counsel). Any document delivered to the Court without a  
15 certificate of service will be returned to the submitting party and  
16 disregarded by the Court.

17 5. Petitioner shall immediately notify the Court and counsel for  
18 Respondent of any change of Petitioner's address. If Petitioner fails  
19 to keep the Court informed of where Petitioner may be contacted, this  
20 action will be subject to dismissal for failure to prosecute.

21 **IT IS SO ORDERED.**

22 DATED: July 15, 2008

23 

24 BARBARA L. MAJOR  
25 United States Magistrate Judge

26 COPY TO:

27 HONORABLE JEFFREY T. MILLER  
28 U.S. DISTRICT JUDGE

ALL COUNSEL